

**CERTIFICATE OF ELECTRONIC TRANSMISSION**

I hereby certify that this correspondence is being filed electronically with the U.S. Patent and Trademark Office on the below date:

Date: December 12, 2007 Name: Steven Oberholtzer

Signature: /Steven Oberholtzer/ Reg No. 30,670

Our Case No. 10546-109

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of:

MICHAEL J. BORRELI

Serial No. 10/764,316

Filing Date: January 23, 2004

For: METHODS AND COMPOSITIONS FOR  
HEAT ACTIVATED GENE THERAPY  
USING CYTOLETHAL DISTENDING  
TOXIN

Examiner:

Chong, Kimberly

Group Art Unit No.

1635

Confirmation No.

8323

**PETITION AND FEE FOR EXTENSION OF TIME (37 CFR § 1.136(a))**

Mail Stop AF  
Commissioner for Patents  
PO Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

This is a petition for an extension of the time to respond to the Final Office Action dated June 13, 2007 for a period of three month(s).

Applicant is: ☒ small entity (per 37 CFR 1.27)      ☐ other than small entity

	<b>Extension Months</b>	<b>Other Than Small Entity</b>	<b>Small Entity</b>
<input type="checkbox"/>	One Month	\$120.00	\$60.00
<input type="checkbox"/>	Two Months	\$460.00	\$230.00
<input checked="" type="checkbox"/>	Three Months	\$1,050.00	\$525.00
<input type="checkbox"/>	Four Months	\$1,640.00	\$820.00
<input type="checkbox"/>	Five Months	\$2,230.00	\$1,115.00

**Payment Method:**

- ☐ Check in the amount of \$\_\_\_\_\_ is enclosed to cover the fees listed above.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ to cover the fees listed above. Form PTO-2038 is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge \$525 to cover the fees listed above to Deposit Account No. 23-1925. If filed by mail, a duplicate copy of this paper is enclosed for this purpose.
- ☒ The Commissioner is hereby authorized to charge any deficiencies in fees or credit overpayment to Deposit Account No. 23-1925. If filed by mail, a duplicate copy of this paper is enclosed for this purpose.

Respectfully submitted,

Dated: December 12, 2007

/Steven Oberholtzer/  
Steven Oberholtzer, Reg. No. 30,670  
Attorney for Applicant(s)

BRINKS HOFER GILSON & LIONE  
P.O. BOX 10395  
CHICAGO, IL 60610  
(312) 321-4200